

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

To:

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Date of mailing
(day/month/year)

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Applicant's or agent's file reference
Jg-2859-PCT

IMPORTANT NOTIFICATION

International application No.
PCT/GB 03/02416

International filing date (day/month/year)
03.06.2003

Priority date (day/month/year)
07.06.2002

Applicant
IMWRO LTD

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the International application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the International
preliminary examining authority:



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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference Jg-2859-PCT		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/16)	
International application No. PCT/GB 03/02416	International filing date (day/month/year) 03.06.2003	Priority date (day/month/year) 07.06.2002	
International Patent Classification (IPC) or both national classification and IPC B60C19/00			
Applicant IMWRO LTD			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p> <p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the opinion II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 			
Date of submission of the demand 06.01.2004		Date of completion of this report 20.08.2004	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5618 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Txc 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer Baradat, J-L Telephone No. +31 70 340-3503 	

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**International application No. **PCT/GB 03/02416****I. Basis of the report**

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17):*

Description, Pages

1-10 as originally filed

Claims, Numbers

1-13 as originally filed

Drawings, Sheets

1/4-4/4 as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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EXAMINATION REPORT**International application No. **PCT/GB 03/02416**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	4-7 9 11 13
	No: Claims	1-3 8 10 12
Inventive step (IS)	Yes: Claims	
	No: Claims	1-13
Industrial applicability (IA)	Yes: Claims	1-13
	No: Claims	

2. Citations and explanations

see separate sheet

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Re Item V**Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Reference is made to the following document:

D1: US-A-4 456 806 (ARIMATSU TOSHIO) 26 June 1984 (1984-06-26)

2. **Novelty:**

As a general remark it must be pointed out that present claim 1 defines an apparatus by its use (for warming, for generating, for indicating, for controlling). Such an apparatus is to be understood as an apparatus suitable for all the aforementioned activities.

The document D1 discloses all the apparatus features of claim 1, e.g. container (1), mounting means (3), generator means (magnetron 8), temperature indicator means (thermometer 13), control means (control circuit of fig. 3), all the features being suitable for performing the activities of claim 1. Therefore the subject-matter of claim 1 is not novel.

D1 discloses rotator means (turntable 3, see column 3, line 1) and further that the container is of the size suitable for receiving one wheel at a time (only one tire 2 is mentioned and shown at figure 1), that the wheel is horizontally mounted in the container (see figure 1 and column 2, line 68: (11) is the bottom wall thus the turntable 3 is horizontal), that the generator means generates microwave energy (magnetron 8), and that metal components form an active part of the apparatus (since the term "active" is an ambiguous and very unclear term, the container walls (1a, 1b, 1c) or the waveguide (5) which are normally metallic can be considered as active parts of the apparatus). Therefore the subject-matter of claims 2, 3, 8, 10 and 12 is not novel.

3. **Inventive step:**

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In claims 4-7, 9 and 13 slight constructional changes in the apparatus of claim 1 are defined, which comes within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of claims 4-7, 9 and 13 lacks an inventive step.

In claim 11 the generator means is for generating radio waves. It is however generally known to the person skilled in the art that the latter feature is an equivalent to the feature "generator means is for generating microwaves of document D1 and can be interchanged with that feature where circumstances make it desirable. Therefore the subject-matter of claim 11 also lacks an inventive step.

4. Industrial application:

The subject-matter of claims 1-13 may be applicable in the automotive industry.